



# City of Harrisonburg, Virginia

## Planning Commission Meeting

October 14, 2009

7:00 p.m.

Regular Meeting  
409 South Main Street

1) Call to order, roll call, determination of quorum, and review/approval of minutes from the September 9, 2009 regular meeting and the September 16, 2009 worksession.

**2) New Business**

*Special Use Permit – 429 Eastover Drive (Major Family Day Home 10-3-34 (6))*

Public hearing to consider a request from Cassandra and Fred Allgood for a special use permit per Section 10-3-34 (6) of the Zoning Ordinance to allow a major family day home within the R-1, Single Family Residential District. The property is located at 429 Eastover Drive and can be found on tax map 15-F-2.

*Subdivision Ordinance Amendment – 10-2-41 (k) Radii Widths*

Public hearing to consider a request to amend Section 10-2-41 (k) of the Subdivision Ordinance to reflect the accurate cul-de-sac radii widths as recently changed within the City's Design and Construction Standards Manual.

**3) Unfinished Business**

**4) Public Input**

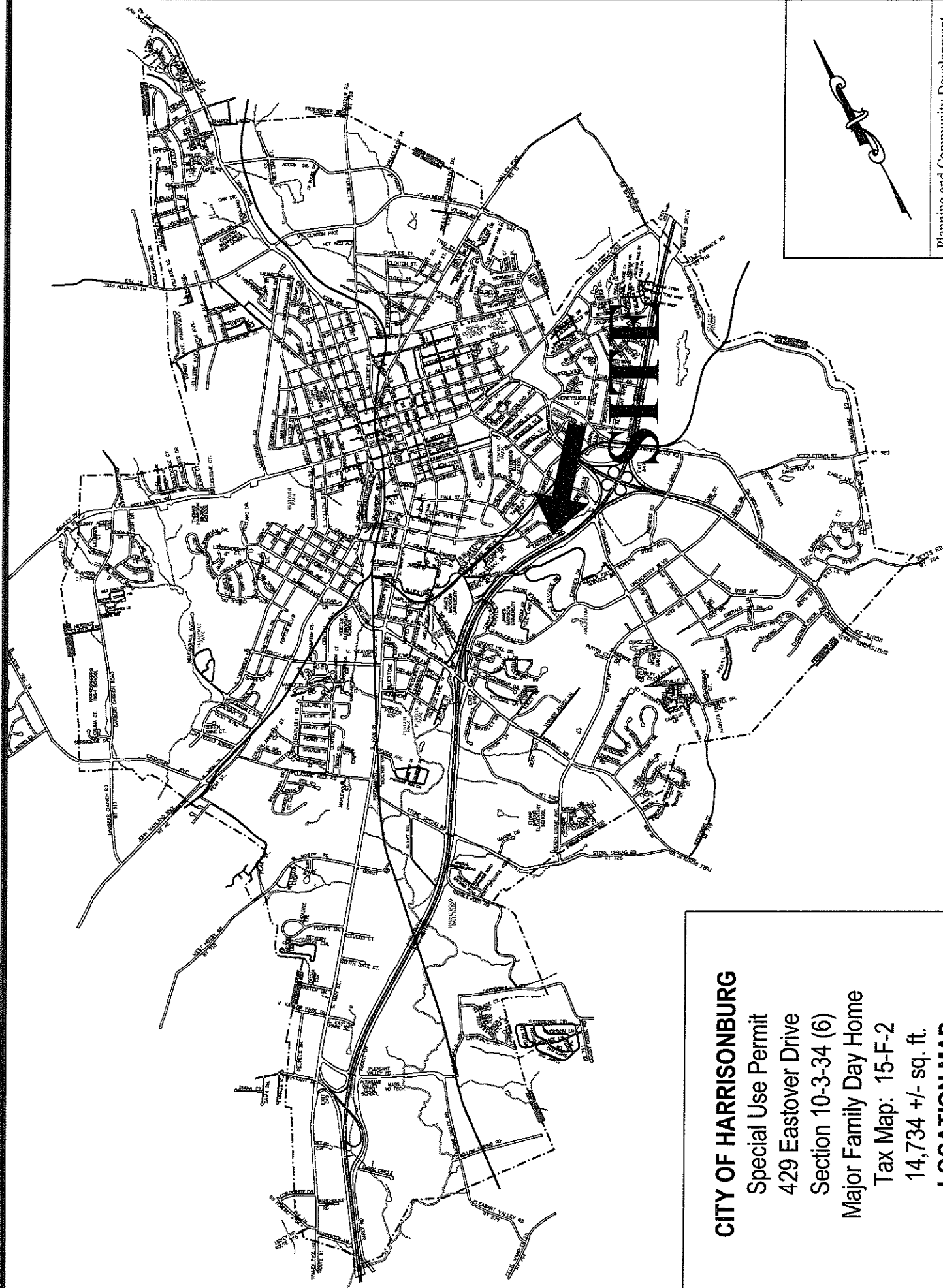
**5) Report of secretary and committees**

*Proactive Zoning*

**6) Other Matters**

**7) Adjournment**

Staff will be available Tuesday November 10, 2009 at 2:30 p.m. for those interested in going on a field trip to view the sites for the November 12, 2009 agenda.



Planning and Community Development  
City of Harrisonburg, Virginia

## CITY OF HARRISONBURG

Special Use Permit

429 Eastover Drive

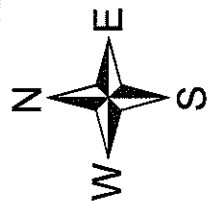
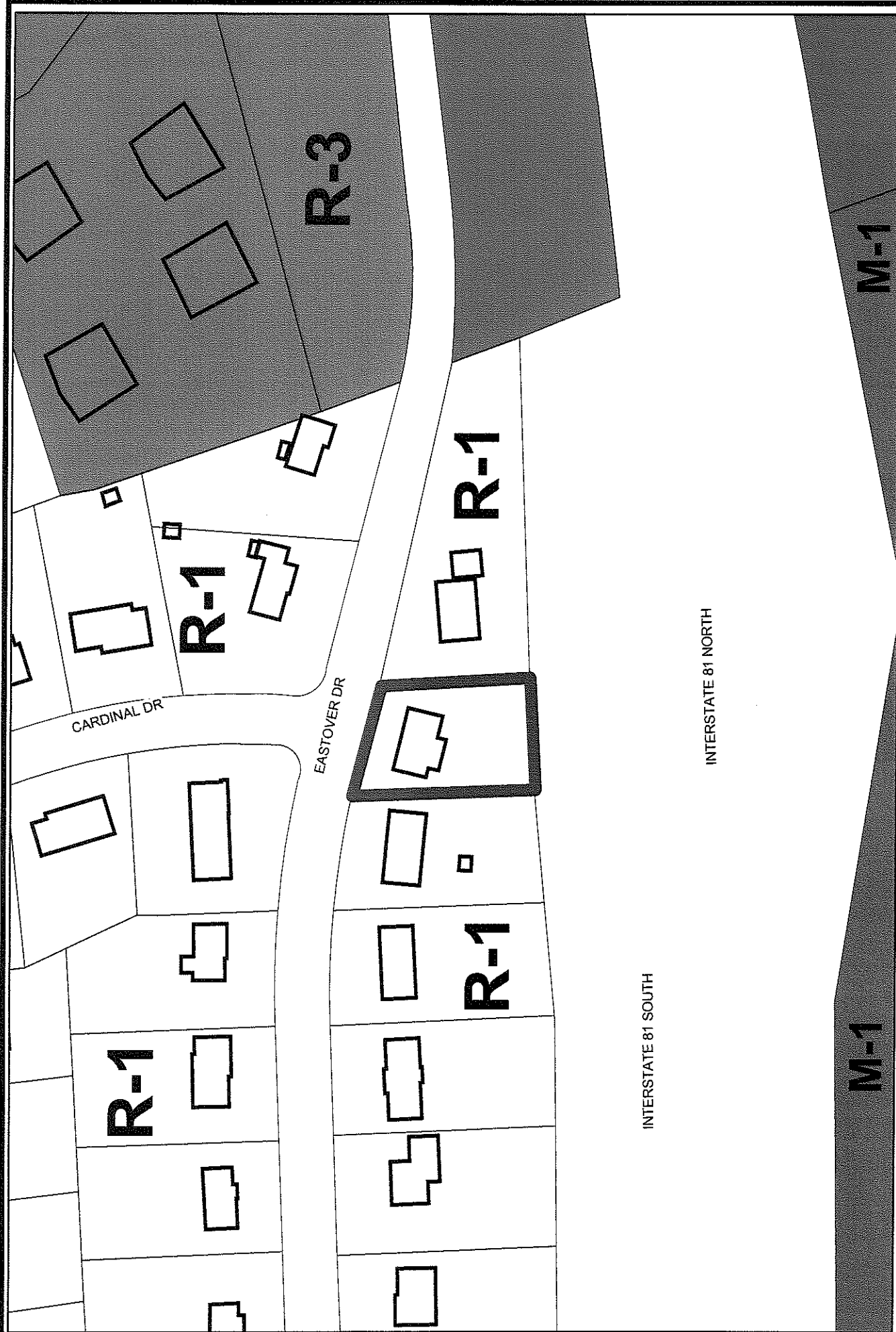
Section 10-3-34 (6)

Major Family Day Home

Tax Map: 15-F-2

14,734 +/- sq. ft.

**LOCATION MAP**



**429 Eastover Drive S.U.P.**  
**Major Family Day Home 10-3-34 (6)**



# City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

## STAFF REPORT

October 14, 2009

### SPECIAL USE PERMIT-429 EASTOVER DRIVE-MAJOR FAMILY DAY HOME - 10-3-34(6)

#### GENERAL INFORMATION

**Applicant:** Cassandra and Fred Allgood  
**Tax Map:** 15-F-2  
**Acreage:** 14,858 square feet  
**Location:** 429 Eastover Drive  
**Request:** Public hearing to consider a request for a special use permit per Section 10-3-34 (6) of the Zoning Ordinance to allow a major family day home within the R-1, Single Family Residential District.

#### LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Low Density Residential. This designation states that these areas consist of single-family detached dwellings with a maximum density of 1 to 4 units per acre. Low-density sections are found mainly in well-established neighborhoods and are designed to maintain the existing character of neighborhoods and to provide traditional areas for home ownership.

The following land uses are located on and adjacent to the property:

**Site:** Single-family dwelling and minor family day home operation, zoned R-1  
**North:** Across Eastover Drive, intersection with Cardinal Drive and single-family homes, zoned R-1  
**East:** Single-family dwelling, zoned R-1  
**South:** Interstate 81 and across to James Madison University, zoned M-1  
**West:** Single-family dwelling, zoned R-1

#### EVAULATION

The applicants are requesting a special use permit per Section 10-3-34 (6) of the Zoning Ordinance to allow a "major family day home" within the R-1, Single Family Residential District. The property is located at 429 Eastover Drive directly across from the "T" intersection of Eastover Drive and Cardinal Drive. "Major family day homes" are defined by the Zoning Ordinance as: *A child day care program offered in the residence of the provider or the home of any of the children in care for six (6) through twelve (12) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation.*

Presently, the applicants operate a "minor family day home" within their single-family dwelling located on the site. A "minor family day home" is allowed through the home occupation permit process and is defined in the Zoning Ordinance as *a child day care program offered in the residence of the provider or the home of any of the children in care for one (1) through five (5) children under the*

*age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation. No conditions more restrictive than those imposed on residences occupied by a single-family shall be imposed on the day home.* Based upon an approved home occupation permit, the applicants' minor family day home, known as Shining Star, has been operating from this location for approximately ten months.

Along with the home occupation permit, the applicants have a current City of Harrisonburg business license, also in the name of Shining Star, as well as being licensed by the Virginia Department of Social Services (VDSS) to operate a Family Day Home for up to 12 children. The VDSS has strict requirements that individuals must meet in order to obtain a license to provide child care in the home. These regulations impose standards for cleanliness, play time, floor area, and more. Staff realizes that many concerns are addressed during the licensing process; however, licensing from the VDSS does not exempt an applicant from maintaining compliance with local ordinances or laws. Therefore, approval of this special use permit application would allow them to operate legally based upon our zoning code.

The applicants have stated their goal is to have the maximum number of children at the Major Family Day Home, with hours of operation between 6 a.m. and 6 p.m. Monday thru Friday. Persons, who do not live at this residence, are permitted to be employed at this Major Family Day Home, and at this time the applicants believe they will have one additional care giver. Currently, drop-off and pick-up times for the Minor Day Home vary for each child, with morning hours being the busiest. The applicants feel this same situation would continue if approved as a Major Day Home.

Eastover Subdivision, where the property is located, has red zone permit parking; therefore, parking permits are necessary Monday thru Friday from 4 a.m. to 6 p.m. In discussions with the Harrisonburg Police Department, staff was informed that permit parking is enforced on a complaint basis within neighborhoods. The applicants have a driveway where parents can pull-in to drop-off children, or they can utilize their visitor parking passes. If complaints arise, the applicants may need to work out some type of arrangement that would ensure violations do not occur.

Staff has no concerns with the operation of a Major Family Day Home at this location and recommends approval of the special use permit request.

8/27/09

To Whom it may Concern:

I Cassandra Allgood would like to add more Children to my all ready existing in which I can keep 5 Children. I'd like to be able to keep 12 children in my home a Major Day Care.

Cassandra Allgood



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF SOCIAL SERVICES

July 23, 2009

Ms. Cassandra F. Allgood  
429 Eastover Drive  
Harrisonburg, VA 22801

Dear Ms. Allgood,

My position provides that I assist new applicants through the application process and the initial licensure period. Upon successful completion of the six-month conditional licensing period, new Family Day Home providers are routinely assigned to another inspector.

Allgood Family Day Home has been transferred to Ms. Michelle Argenbright and she can be reached at (540) 332-9172. I believe you will find her a very capable and informative partner in your effort to provide quality child care.

It has been a pleasure working with you and I wish you much success in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol A. Mayer Troxell".

Carol A. Mayer Troxell  
Licensing Training Inspector  
(540) 332-9163



# City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street • Harrisonburg, Virginia 22801

Website: <http://www.ci.harrisonburg.va.us>

Telephone: (540) 432-7700 Fax: (540) 432-7777

## HOME OCCUPATION PERMIT

*Home occupation:* Any occupation or activity which is clearly incidental to the use of the premises for dwelling purposes and which is carried on wholly within a main building or accessory building by a member of a family residing on the premises, in connection with which there is no advertising on the premises, and no other display or storage or variation from the residential character of the premises, and in connection with which no person outside the family is employed and no equipment which is deemed to be in conflict with the intent of this definition. A home occupation shall not include beauty parlors, barber shops or doctors' or dentists' offices for the treatment of patients.

### APPLICATION

NAME: Cassandra Faye Allgood TELEPHONE NO: 540-434-1511

NAME OF BUSINESS: Shining Star

ADDRESS: 429 Eastover Dr., Harrisonburg, VA 22801

NATURE OF BUSINESS: Day Care (No More Than 5 Children)

I hereby certify that the occupation to be conducted in my home shall comply with the regulations as outlined above and understand that if it becomes and overburden to the neighborhood, i.e.: excessive traffic, noise, etc., my application may be subject to a compete re-evaluation.

DATE: 1/11/08

APPLICANT: Cassandra Faye Allgood  
Signature

ZONING DISTRICT: R-1 APPROVED: X DISAPPROVED: \_\_\_\_\_

SHEET: 15 BLOCK: F LOT: 2

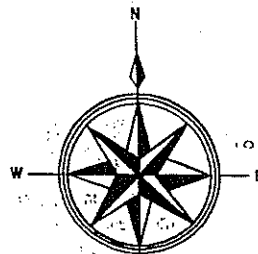
DATE: 1/11/08 AGENT: DB Brock

ZONING REPRESENTATIVE



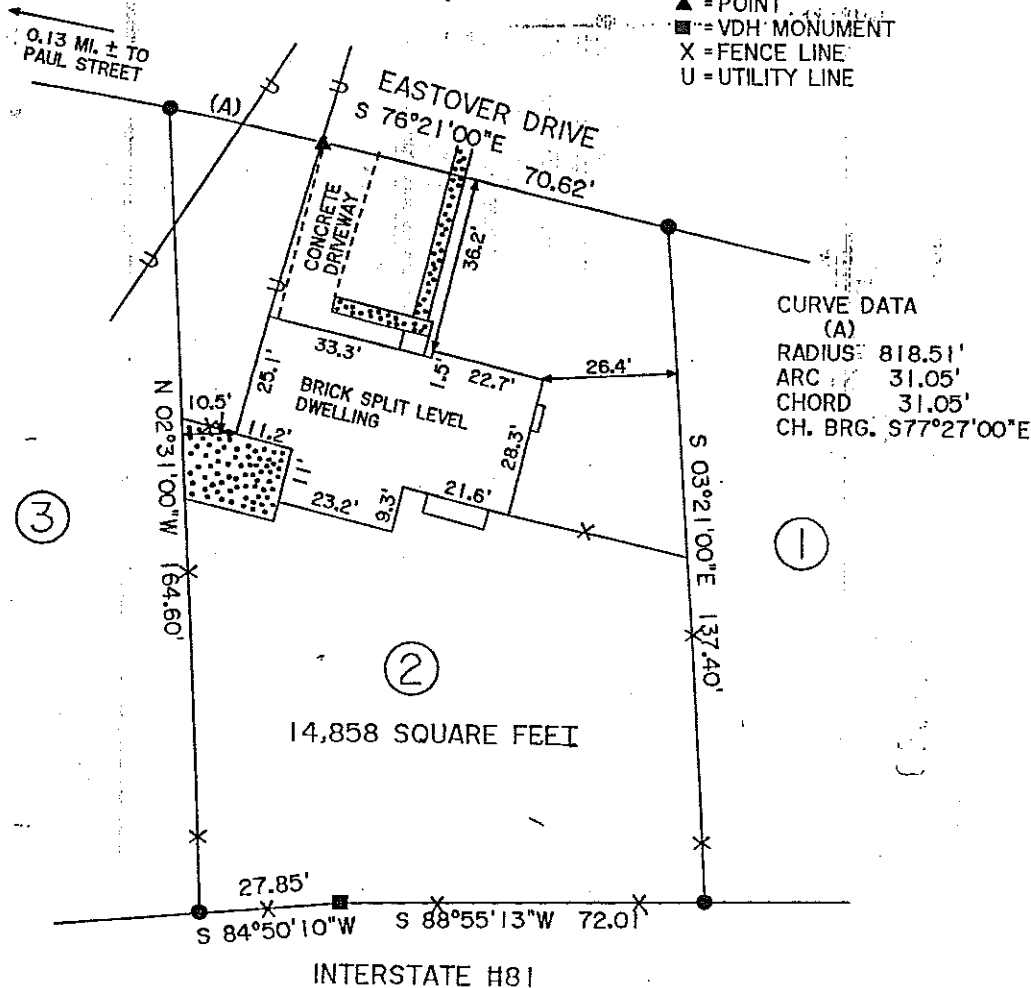
01666P559

- 1-BEARINGS ARE MAGNETIC
- 2-SCALE: 1"=30'
- 3-OTHER RIGHTS OF WAY AND EASEMENTS IF ANY, ARE NOT SHOWN
- 4-TAX MAP 15-F-2
- 5-DATUM AS SHOWN HEREON IS ACCORDING TO RECORDED INFORMATION AND IS A CURRENT FIELD SURVEY
- 6-NO TITLE REPORT FURNISHED
- 7-PROPERTY ADDRESS:  
429 EASTOVER DRIVE  
HARRISONBURG, VA 22801
- 8-FEMA PANEL H0006 B  
SHOWS FLOOD ZONE X



CARDINAL DRIVE

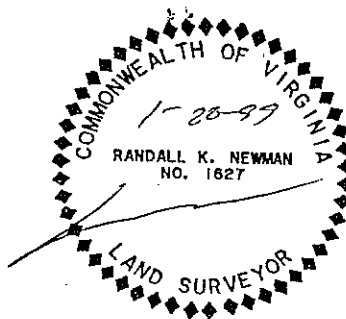
- LEGEND
- = IRON PIN FOUND
  - ▲ = POINT
  - = VDH MONUMENT
  - X = FENCE LINE
  - U = UTILITY LINE



TITLE SURVEY OF LOT 2, BLOCK 4, SECTION ONE OF EASTOVER ADDITION

LOCATED ON THE SOUTH SIDE OF EASTOVER DRIVE, IN THE CITY OF HARRISONBURG, VIRGINIA.

OWNER: THE SALVATION ARMY  
REFERENCE: DEED BOOK H402, PAGE H89



NEWMAN SURVEYING  
Professional Land Surveyor  
Mt. Jackson, Virginia 22842  
(540) 477-3730

JOB NO. H15-F-2

JANUARY 20, 1999

MHP

Date Application Received: \_\_\_\_\_

## Application for Special Use Permit

City of Harrisonburg, Virginia

Fee: \$325.00

Total Paid: \$ 325.00 *Banks*

Property Owner's Name: CASSANDRA & Fred Allgood  
Street Address: 429 Eastover Drive Email: ShiningStar.Allgood@gmail.com  
City: Harrisonburg State: VA. Zip: 22801  
Telephone: Work (540) 434-1511 Fax \_\_\_\_\_ Mobile 421-0345

Owner's Representative: Self

Street Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: Work \_\_\_\_\_ Fax \_\_\_\_\_ Mobile \_\_\_\_\_

### Description of Property and Request

Location (Street Address): 429 Eastover

Tax Map Number Sheet: 15 Block: F Lot: 2 Lot Area: \_\_\_\_\_

Existing Zoning Classification: R-1

Special Use being requested: 10-3-34 (6)

Please provide a detailed description of the proposed (use additional pages may be attached): \_\_\_\_\_

Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

**Certification:** *I certify that the information contained herein is true and accurate.*

Signature: Cassandra J. Allgood  
Property Owner

### ITEMS REQUIRED FOR SUBMISSION

- ☐ Completed Application
- ☐ Site Plan
- ☐ Description of Proposed Use
- ☐ Adjacent Property Owners

- ☐ Fees Paid
- ☐ Property Located on Tax Map
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_



# City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

## STAFF REPORT

October 14, 2009

### SUBDIVISION ORDINANCE AMENDMENT

#### Section 10-2-41 (k)

City staff is proposing to amend Section 10-2-41 (k) of the Subdivision Ordinance to reflect the accurate cul-de-sac radii widths as recently modified within the City's Design and Construction Standards Manual (DCSM).

On September 8, 2009, City Council approved several amendments to the City's DCSM; some of which included requirements for a Preliminary Engineering Report (PER) for water and sewer utilities, stormwater management requirements, transit improvements, new street standards, and several others. Specifically, there is now a requirement for sidewalk along both sides of new streets and for sidewalk across all lot frontages (this includes lots within the cul-de-sac). To be consistent, the City's Subdivision Ordinance must be amended to reflect the design guidelines that are implemented by the DCSM.

The amendment is within Section 10-2-41, which outlines the design standards for streets and alleys. In particular, subsection (k) specifies the necessary cul-de-sac radii widths. As opposed to the existing subdivision standard, the City now draws a distinction between the requirements necessary for residential cul-de-sacs and the requirements needed for commercial/industrial cul-de-sacs. Staff is proposing for subsection (k) to be amended as shown: Where permitted by the planning commission, *residential* permanent dead-end streets, courts or cul-de-sacs shall be terminated with a turnaround having an outside roadway diameter of not less than ninety (90) feet, and a ~~street property line~~ *right-of-way* diameter of not less than ~~one hundred (100)~~ *one hundred ten (110)* feet. *Commercial/industrial* permanent dead-end streets, courts or cul-de-sacs shall be terminated with a turnaround having an outside roadway diameter of not less than one hundred (100) feet, and a *right-of-way* diameter of one hundred twenty (120) feet.

As shown in the proposed ordinance language, the roadway diameter of a residential street has not changed, but the right-of-way width has increased to allow for the construction of sidewalk around the cul-de-sac. Commercial/Industrial cul-de-sacs have an additional ten-foot requirement for their roadway diameter, which also requires the additional right-of-way for the sidewalk.

Staff supports the proposed amendment.

Draft

# ORDINANCE AMENDMENT

**Subdivision Ordinance  
Section 10-2-41 (k)**

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-2-41 (k)

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of  
Harrisonburg, Virginia:**

**That Section 10-2-41 be amended as follows:**

**Section 10-2-41. Streets and Alleys**

**Amend subsection (k) as shown:**

(k) Where permitted by the planning commission, *residential* permanent dead-end streets, courts or cul-de-sacs shall be terminated with a turnaround having an outside roadway diameter of not less than ninety (90) feet, and a ~~street property line~~ *right-of-way* diameter of not less than ~~one hundred (100)~~ *one hundred ten (110)* feet. *Commercial/industrial permanent dead-end streets, courts or cul-de-sacs shall be terminated with a turnaround having an outside roadway diameter of not less than one hundred (100) feet, and a right-of-way diameter of one hundred twenty (120) feet.*

The remainder of Section 10-2-41 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the \_\_\_\_\_ day of \_\_\_\_\_, 2009.  
Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Draft

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**MAYOR**

ATTESTE:

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CLERK OF THE COUNCIL



Department of Planning  
and  
Community Development  
Division of Planning and Zoning



## MEMORANDUM

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**TO:** Harrisonburg Planning Commission  
**FROM:** Adam Fletcher, City Planner  
**RE:** **October 14, 2009, Comprehensive Plan Worksession**  
**DATE:** Friday, October 9, 2009

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We have amended and updated Chapters 7, 8, and 9 of the Comprehensive Plan. They are attached for your review for our worksession on Wednesday, October 14<sup>th</sup> immediately following our regular meeting. After we adjourn from the regular meeting, we will convene in the Planning and Community Development conference room. Craig Mackail and Greg Coffman will be joining us for specifics regarding chapter 7. If you have any questions before then, let us know.

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409 South Main Street, Harrisonburg, Virginia, 22801

Phone: 540.432.7700

Fax: 540.432.7777

Web Site: [www.harrisonburgva.gov](http://www.harrisonburgva.gov)

## Chapter 7                      Education, Arts & Culture

### Introduction

Harrisonburg is a city of education with two major universities, an excellent public school system, and highly regarded private schools. Many citizens of the City are affiliated with the schools, either working there or attending class, making school life a very important aspect of city life. The City is dedicated to making its public schools the best that they can be. Cooperation between City Council and the School Board is essential for meeting this broad goal. Cooperation between the City and the universities is also sought in efforts to meet many of the goals, objectives and strategies of this plan, from those supporting adult education to promotion of the arts to economic development. The City wishes to continue its positive relationships with James Madison University (JMU) and Eastern Mennonite University (EMU).

Cultural enrichment is provided not only by the City's educational institutions but also by the library system and arts organizations. This plan supports expansion of the City's cultural offerings in an effort to enhance the quality of life for its citizens.

### Background

#### Schools

The City's Public Schools have adopted both vision and mission statements to guide their work.

*Vision Statement:* "Motivate, Educate, and Celebrate: Learning together for a better future."

*Mission Statement:* "Our mission is to prepare every student to succeed and to contribute to a better world. We will strive to do this in an academically-challenging, safe, and nurturing environment where all students, parents, and community members are active participants."

The schools strive to provide a quality education to every student who comes to them.

**School Facilities:** Approximately 11 percent of the City's total population is enrolled in the public school system. While school enrollment has decreased slightly in the last two years, the school division grew substantially during the previous decade primarily due to immigration. That growth resulted in the need for additional classroom space. In 2008 two new schools, Skyline Middle School and Smithland Elementary School, were opened.

The City's public school system currently operates eight public school facilities. The physical capacity of school buildings is a dynamic measurement, due in part to the changing standards that result from legislative requirements to provide additional services for special populations. The original "intended" or "design" capacities are larger than the current "actual" capacities, due to these changing requirements. Table 7-1 shows a summary of the physical plants, and table shows the capacities of the current school facilities.



**Table 7-1. City of Harrisonburg School Facilities**

School	Date of Original Construction	Acreage
Harrisonburg High School	2005	63
Thomas Harrison Middle School	1989	34
Skyline Middle School (campus shared with SMES)	2008	Part of a 65 acre shared campus.
Keister Elementary School	1955	17
Smithland Elementary School (campus shared with SKMS)	2008	Part of a 65 acre shared campus.
Spotswood Elementary School	1960	16
Stone Spring Elementary School	1993	23
Waterman Elementary School	1911	9

Source: Harrisonburg City Public Schools, Five Year Capital Improvement Plan, 2009,

**Table 7-2. City of Harrisonburg School Capacities**

School	2008 Totals	2008 Building Total	Actual Capacity*	Intended Capacity**
Harrisonburg High School	1259	1276	1350	1550
Thomas Harrison Middle School	742	754	915	925
Skyline Middle School	489	493	800	876
Keister ES	390	431	424	492
Spotswood ES	335	374	425	493
Stone Spring ES	302	352	488	492
Smithland ES	399	433	536	600
Waterman ES	345	385	447	451
<b>Totals</b>	<b>4,261</b>	<b>4,498</b>	<b>5,385</b>	<b>5,879</b>

Source: Harrisonburg City Public Schools

\* Number of students the facility can accommodate while providing space for mandated or specialized programming.

\*\* Number of students the facility would accommodate w/o mandated or specialized programming, as originally designed.

With the opening of a new middle school and elementary school in the Fall of 2008, and the grade reconfiguration (K-4 at elementary schools and 5-8 at middle schools) the school division has addressed its' overcrowding issues. The majority of the mobile classrooms that were used to address the gaps in available capacity have been removed. While no additional construction of schools is anticipated to be needed for several years, the next likely school project will be adding classroom space at Harrisonburg High School. This addition will not be needed for 5 to 10 years.

**School Services:** The school division offers an extremely wide range of services to the City's children in order to provide a quality education and meet individual student needs. Pre-school

classes at the elementary schools through college credit courses offered in our high school are available to students. Special Education classes and alternative education programs are also available for students who need them. Of the 4,261 total students in the system, 1,747 (41.0 percent) require ESL services. This is an extraordinarily high percentage compared to other jurisdictions in the Commonwealth. A relatively small proportion of the ESL student population has English language proficiency; most need extra help, which therefore require additional staffing resources.

In recent years, federal and state legislative requirements have increased the challenges to the system. The school division annually reports achievement results for all students as a large group and the achievement of students is also reported in the following defined categories: students with disabilities, Limited English Proficient students, economically disadvantaged students, white students, black students and Hispanic students.

The City school system currently cooperates with the County school system through a joint consortium for purchasing (food supplies, etc.) and jointly operates the special education program for “low-incident” (low rate of occurrence) special populations in which shared services allows economies of scale for both systems. Massanutten Technical Center, which offers technical and vocational training and classes for high school and adult students, is also operated jointly by the City and County school systems.

**Future Needs and Planned Facilities:** As indicated in Table 7-2, the total current enrollment of the system is approximately 4,261 students. This reflects a decrease in our overall enrollment by 58 students from the 2007-08 school year. These trends are shown in Table 7-3. The School Board has set as a priority the construction or acquisition of a new school board office. Currently, the administrative staff is spread over two different facilities, which impacts efficiency.

**Table 7-3. City of Harrisonburg School Enrollment Trends**

<b>Year:</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Number of Students</b>	4,274	4,419	4,319	4,261
<b>% Increase or Decrease from previous year</b>	+3.0%	+3.4%	-2.3%	-1.3%

Source: Harrisonburg City Public Schools

Table 7-4 shows the school system’s forecast for future enrollments. The school system currently is planning for a future annual growth rate of 1.0 percent in the public school population based upon recent trends. The 1.0 percent growth factor is revisited annually. The following chart indicates that 236 total students will be added over a 5 year period.

**Table 7-4. City of Harrisonburg School Enrollment Forecasts**

Year	Enrollment	Increase/Decrease	Percentage
2009-2010	4315	+54 students	2.00%
2010-2011	4360	+45 students	1.04%
2011-2012	4405	+45 students	1.04%
2012-2013	4451	+46 students	1.04%
2013-2014	4496	+46 students	1.04%

Source: Harrisonburg City Public Schools

**Service and Facility Standards:** For instructional staffing, the system uses class size targets and state standards for special education. Maximum class size targets are:

- Grades K-3: 18, 19, 20 and 21 students per teacher, respectively
- Grades 4-5: 22 students per teacher
- Grades 6-8: 23 students per teacher (not formally adopted)
- Grades 9-12: 24 students per teacher (not formally adopted)

However, school funding may alter these targets, resulting in slightly higher class sizes.

For school sites, the system uses the following standards:

- Elementary School: 20 acres (gross)
- Middle School: 40 acres (gross)
- High School: 60 acres (gross)

### Libraries

The Massanutten Regional Library (MRL) is a private, non-profit organization supported jointly by the City of Harrisonburg, the County of Rockingham, and the County of Page. The Library's mission statement is as follows:

*Mission Statement:* "The Massanutten Regional Library supports individual achievement and community enrichment through reading and life-long learning. The Library is a reliable and trusted source of information for its patrons and ensures a free and unbiased flow of ideas for the community."

**Existing Facilities and Services:** The Main Library is located at 174 South Main Street in downtown Harrisonburg. There are also eight branch libraries in Rockingham and Page counties. In addition, bookmobile service is provided to various sites in the City and the Counties. An increasingly important service and facility provision in libraries today is Internet access. The MRL measures Internet use by the number of customer/user sessions in each building. The number of sessions is on an upward trend.

**Future Needs and Planned Facilities:** While there are no current plans for capital improvements, within five years, the MRL will need to establish a branch on the east side of the City in light of the significant development occurring there. Capital maintenance will be the main focus of budgeting efforts over the next five years.

In the longer term—within 15 years—a major suburban branch facility [minimum 20,000 square feet] will be needed on the east side of the City, as well as major renovation to the Main Library building downtown. The Main Library is expected to continue in its downtown location due to the broad benefits that such a location provides both for library patrons as well as the community at large. The downtown location has a high level of user activity and also helps draw people to the downtown area on evenings and weekends. It serves as a downtown anchor and helps support local businesses.

#### The Arts & Cultural Offerings

The City of Harrisonburg offers a number of opportunities and venues for the arts and other cultural pursuits. Harrisonburg contributed \$40,000 in 2000 to help establish the Arts Council of the Valley, a nonprofit organization that aims to create a more vibrant community through support of arts and cultural activities. Ongoing operations are funded by the City, Rockingham County, the Commonwealth of Virginia, membership dues, and donations. The Council administers grants to artists, holds monthly membership meetings, publishes a media guide, maintains a directory of artists and cultural organizations, and maintains a resource library.

The City boasts two independent performing arts theaters, the Valley Playhouse and Court Square Theater. The Shenandoah Valley Watercolor Society promotes interest in watercolor painting.

A number of museums and art galleries are located in the City, including the Virginia Quilt Museum in downtown, the Sawhill and New Image Galleries on the JMU campus, and the Hartzler Library Art Gallery, the Hostetter Museum of Natural History and the Brackbill Planetarium on the EMU campus.

Both JMU and EMU offer performing arts seasons of theater, music, and dance. Soon JMU will open their Cultural Arts campus on the west side of Main Street across from the historic quadrangle.

### **Education, Arts & Culture Goal, Objectives and Strategies**

**Goal 5.** To provide a wide and equitably distributed range of educational and cultural opportunities for all ages.

**Objective 5.1** To work with the School Board to assure the quality of public education and excellent educational outcomes for all enrolled children.

**Objective 5.2** To continue to work with the School Board to monitor enrollment trends and projections to ensure quality educational facilities.

**Strategy 5.2.1** To work collaboratively with the School Board on the implementation of school facility improvements.

**Strategy 5.2.2** To assist the School Board in obtaining needed additional administrative space.

- Strategy 5.2.3 To coordinate City staff and school staff annual estimates and forecasts of population and school enrollment.
- Strategy 5.2.4 To hold annual meetings between the City Council and the School Board to review population growth and enrollment trends and discuss current and future school needs.
  
- Objective 5.3 To work with the School Board to encourage needed neighborhood elementary schools in underserved areas of the City.
  - Strategy 5.3.1 To locate an elementary school in each quadrant of the City as the need arises.
  - Strategy 5.3.2 To design all new schools to fit into their neighborhood. Consideration should be given to making them easily accessible by pedestrians and bicyclists, not dominated by parking lots, attractive, residential in scale and setback, well-landscaped, and with lighting designed not to intrude into the neighborhood.
  
- Objective 5.4 To promote educational programs for workforce development, training, retraining and life-long learning.
  - Strategy 5.4.1 To ensure close communication between the Harrisonburg Department of Economic Development, Blue Ridge Community College, Massanutten Technical Center, Dayton Learning Center, and existing and prospective businesses regarding educational needs of the workforce.
  - Strategy 5.4.2 To support Blue Ridge Community College in efforts to obtain grants for workforce development programs.
  - Strategy 5.4.3 To encourage James Madison University, Eastern Mennonite University, Blue Ridge Community College, and Bridgewater College to make degree and enrichment courses available to City residents.
  
- Objective 5.5 To improve library offerings through expansion of internet access and the development of branch libraries.
  - Strategy 5.5.1 To monitor the amount of internet use at the main library and its branches in order to provide sufficient computer stations, capacity, and speed to meet the internet needs of library patrons.
  - Strategy 5.5.2 To Plan for future branch library needs on the east side of the City – a branch, perhaps in rented or donated space, within five to ten years and a major new branch facility as may be needed in the future.
  
- Objective 5.6 To expand arts and cultural opportunities with a focus on creating a major arts district in the downtown/JMU area.
  - Strategy 5.6.1 To continue promoting the Arts & Cultural District in the downtown area as established by Chapter 5 of the Harrisonburg City Code.

- Strategy 5.6.2 To continue to support the Arts Council of the Valley.
- Strategy 5.6.3 To support efforts of Harrisonburg Downtown Renaissance to bring arts facilities and performances downtown.
- Strategy 5.6.4 To cooperate with James Madison University in the development of a Cultural Arts campus on the west side of Main Street.
- Strategy 5.6.5 To include an arts calendar or a link to an arts calendar on the City's web site.
- Strategy 5.6.6 To display the work of local artists in City facilities.

## **Chapter 8            Historic Resources**

### **Introduction**

The City of Harrisonburg has a rich history and retains many quality historic resources. Citizens recognize these resources, particularly those downtown and in close-by neighborhoods, as providing much of the City's unique architectural character. The City has not made historic preservation a major focus, but interest in preservation is growing.

### **Background**

The Plan Background Information Supplement contains a five-page brief history of the City as well as listings of the City's historic resources surveyed to date. The reader is directed to the supplement to find this more detailed information.

#### Harrisonburg's Historic Assets and Previous Survey Efforts

Harrisonburg is fortunate that, while many historic resources have been lost, many historic properties still remain to tell the story of the City's rich history and to enrich the lives of its citizens. Beginning in 1958, these properties have been documented through historic sites surveys, providing the City with an invaluable inventory of its historic resources.

In 1958, the national HABS (Historic American Buildings Survey) inventory recorded the more prominent buildings in the City. Several additional buildings were added to the inventory by Isaac Terrall in 1972 during his survey of historic sites in Rockingham County. These early surveys included very little photographic documentation and lacked adequate written information for evaluating the properties. In addition, a number of these buildings have been destroyed over the years.

A more detailed survey of the downtown was undertaken in 1981 by Ann McCleary for the Virginia Historic Landmarks Commission (VHLC) (VHLC is now the Virginia Department of Historic Resources (VDHR)) at the request of the Harrisonburg Downtown Development Corporation. This survey recorded 296 buildings and sites in sufficient detail to allow recommendations for the preservation of the downtown's architecturally and historically significant properties.

The remainder of the City was surveyed by Ms. McCleary in 1983-84 as part of a Rockingham County survey, including numerous individual buildings in the newly annexed portion of Harrisonburg, mostly farmsteads. During the summer of 1984, Ms. McCleary also surveyed 25 buildings in the historic core of the JMU campus. Both of these surveys were compiled into a 1985 VHLC-published survey report entitled, "The Valley Regional Preservation Plan: Evaluation of Architectural, Historic, and Archaeological Resources in Harrisonburg, Virginia." The report noted that surveyed properties are concentrated largely in the downtown area and on the JMU campus, and recommended further survey work concentrating on the late 19<sup>th</sup> and early 20<sup>th</sup> century residential neighborhoods surrounding the downtown core including: High Street, East and West Market Street, Mason and Main Streets, Franklin and Newman Streets, the neighborhoods west of High Street, and on the north side of the downtown. Ms. McCleary also

recommended that a future survey document significant older houses within the many modern subdivisions on the fringes of the older City.

At that time, the survey also listed four City properties on the Virginia Landmarks Register and National Register of Historic Places, including the Thomas Harrison House, the Anthony Hockman House, the Joshua Wilton House, and the County Courthouse. One property, the Morrison House, was noted as removed from the Register after its recent demolition.

Ms. McCleary indicated that the low number of registered buildings was not indicative of the City's architectural fabric and listed 11 additional downtown buildings as potentially eligible for the state and national registers, including Church of the Brethren, the Ney House, the old First National Bank, Rockingham County Office Building, Rockingham Motor Company, the Newman/Ruddle Building, the Isaac Atkins House, the L & S Diner, Crystal Service, the Chesapeake and Western Railroad Station, and the Craft (Higgins) House. The McCleary survey also included a list of architecturally significant buildings in the downtown study area meriting rehabilitation and/or preservation. The report recommended that the 52 buildings on this list be preserved in their settings to help retain their historic character. A thematic nomination to the register was recommended for railroad-related sites, including the historic warehouses along the tracks. In addition, JMU's original campus was recommended for the Virginia and National Registers as a historic district.

VDHR records show three individually surveyed historic buildings, besides the Morrison House, have been demolished since the 1985 survey report, including the Bassford House on North Liberty Street, the Jehu Bear House on South Main Street and the Henry Ott House at 254 Newman Avenue. It also noted the loss of the house of Reuben Harrison, Thomas Harrison's son, in 1982. In addition, many other structures were lost during the 1960's Urban Renewal Program, which cleared blighted areas all over the country for redevelopment. One of the oldest houses in the City, the Henry Ott House (1858) was destroyed by fire in 1975.

In 1983, the Virginia Historic Landmarks Commission recommended that the Harrisonburg Post Office be registered. This imposing Georgian Revival building was constructed in 1939. The United States Postal Service never acted to pursue listing of this building on the historic registers.

The next effort at cataloguing the City's historic resources came in 1987, when Land & Community Associates completed a survey of the JMU campus as part of a State-Owned Properties Statewide Survey. This survey listed 36 sites in and around the original quadrangle, including the quadrangle itself. The survey notes that JMU provides the earliest examples of architect Charles Robinson's campus planning for Virginia's colleges, being the first state normal school designed by him. Construction following his original Beaux-Arts scheme occurred between 1908 and 1940. This survey agreed with the McCleary recommendation that the original JMU campus was eligible for the Virginia and National Landmarks.

A list of the survey records from Harrisonburg, on file with the VDHR, is included in the Plan Background Information Supplement. There are 483 standard VDHR files, plus 24 additional survey files prepared by the Virginia Department of Transportation for transportation



construction projects and to catalogue Harrisonburg's bridges. Missing from this list are the survey files for the 1981 downtown survey, which was done in blocks and assigned survey numbers 115-0027 through 115-0053.

#### Historic Preservation Efforts

Harrisonburg was the last county seat in the Shenandoah Valley from Winchester to Lexington and the last City or town between Winchester and Staunton to have a State or National Register-designated district. All of this survey work has left Harrisonburg with a wealth of information on its historic assets and many recommendations for measures to ensure that these resources are protected for future generations.

Listing on the Virginia and National Registers brings no regulatory requirements for property owners, but makes the properties eligible for state and federal tax credits for rehabilitation of historic structures within the district. It also requires state and federal agencies to avoid actions that might harm historic structures within the district. Properties within historic districts also tend to appreciate in value at a faster rate than other properties, providing benefits to historic property owners and to the community's tax base.

There have been several efforts to establish districts within the City. The VDHR worked with Harrisonburg on two separate districts during the late 1990s. In September 1995, the Planning and Community Development Department submitted a Preliminary Information Request application for VDHR to determine if a proposed Court Square Historic District would be eligible for listing on the Virginia and National Registers. The proposed district encompassed 35 acres including the original town boundaries around Court Square, as well as along both sides of Main Street from Gay Street on the north and to the JMU campus on the south. The proposed district included residential, commercial and governmental buildings dating from the 1870s to the 1930s. It was the stated intent of the proposed district to encourage property owners to take pride in the historic character of the area, to make these properties eligible for state and federal tax incentives for restoration and rehabilitation, and to help preserve the buildings for future generations.

In February 1996, VDHR determined that the proposed district was eligible for listing on the Virginia and National Registers. The Committee for Downtown Harrisonburg requested that the City pursue the designation, but some downtown property owners expressed concern about possible future restrictions on their property. The City Council decided not to nominate the district to the registers.

In October of 1997, the City of Harrisonburg submitted a Preliminary Information Form application for a second proposed historic district, the Old Town Historic District. The Old Town neighborhood, located between downtown and JMU, has long served as a prominent residential area and includes many fine homes dating from the early 1900s. The proposed district was bounded on the north by the 200 block of E. Water Street, on the east by the east side of Ott Street, on the south by the northern side of Cantrell Avenue, and on the west by S. Main Street. In April 1998, the VDHR Review Board determined that the Old Town Historic District would be eligible for listing on the Virginia and National Registers. A group of neighborhood residents worked on completing survey forms on all of the structures within the proposed district, and by

November 1999 had 81 forms completed. The survey work was never completed, so the district has not been nominated to the registers.

Following the two surveys of the JMU campus in the 1980s, little effort was made to nominate the campus to the Virginia and National Registers until 2002, when students in a JMU History class tried to pursue the designation with the JMU Administration. No action has been taken by JMU to date to complete the nomination process. As of 2002, however, the Governor has a new memorandum of agreement with VDHR to encourage more State-owned properties to be listed on the National Register.

The Harrisonburg-Rockingham County Historical Society, located in Dayton, provides a wealth of additional information relating to Harrisonburg's history. In 1995, the Society launched a major initiative to become the finest regional historical society in the Commonwealth. This led to a new 5,000 square-foot exhibit on Rockingham County history, the expansion of its Shenandoah Valley folk art collection, re-engineering of its electric map on Stonewall Jackson's Shenandoah Valley Campaign, and significant additions to its genealogy library. It also maintains an extensive photographic collection.

A recent historic preservation effort in the City was directed at the rehabilitation and expansion of the Lucy F. Simms School on Simms Avenue, which is now known as the Lucy F. Simms Center for Continuing Education. A nomination of this historic City school to the Virginia and National Registers was submitted and approved by the Virginia Landmarks Commission.

In 2003 Harrisonburg Downtown Renaissance formed a Historic District Advisory Committee to consider the advantages and disadvantages of creating a downtown historic district. The committee was composed of city and property owner representatives. After months of meetings and consultation with the Department of Historic Resources and other communities in the state, the group recommended application for a historic district with the understanding that Harrisonburg Downtown Renaissance would not advocate for the creation of a local historic district and architecture review board in the future. In 2004, the City contracted with Landmark Preservation Associates to conduct the architectural survey and submit the nominations forms. In December 2004, the Downtown Historic District was designated a Virginia Historic Landmark and in January 2005 the district was listed in the National Register for Historic Places.

Following more than a year of discussion and meetings between representatives of Old Town, Harrisonburg Downtown Renaissance, and the Department of Historic Resources, the decision was made by Old Town residents to contract with Sabe Preservation Consulting to conduct the architectural survey and submit the nomination forms to create a historic district. In September 2007, the Old Town Historic District was planned in the Virginia Landmarks Register, and then in February 2008, the district was entered into the National Register of Historic Places.

#### Potential for Future Historic Preservation Efforts

The City has had extensive survey and district preparation work completed over the past 20 years, which helped to lay the groundwork for the creation of the two historic district designations. This information provides a rich resource for those interested in the City's fascinating history, as well as a strong foundation for future preservation efforts.

Many communities have realized their historic buildings not only provide a link to their past, but also a powerful economic asset. Cities such as Staunton and Lexington have had great success using the National Main Street Center's Main Street approach to downtown revitalization, which is a proven comprehensive program for enhancing historic downtown commercial areas. An average of \$25.00 is reinvested in the community for every \$1 spent on Main Street programs nationwide.<sup>1</sup>

In recognition of the great potential of the Main Street approach to assist Harrisonburg in enhancing its downtown, Harrisonburg Downtown Renaissance is pursuing a Main Street revitalization program for the City's historic core. Harrisonburg Downtown Renaissance, initiated by City Council in April 2002, is developing a comprehensive vision and master plan to revitalize downtown Harrisonburg based on the Main Street four-point approach. Rehabilitation of historic buildings to enhance the physical appearance of the district is one of the major strategies of the Main Street approach.

Rehabilitation of historic buildings creates local jobs and generates local sales for specialized construction materials. Rehabilitated buildings in traditional downtowns are great locations for the small businesses that drive local economies, because their sizes lend themselves to a variety of smaller retail and office spaces. In many cities, they also have become magnets for incubator businesses, such as the Rosetta Stone language learning software company in downtown Harrisonburg that was started by a JMU professor and his family. Harrisonburg's historic buildings provide significant opportunities for such innovative business development.

Historic downtowns have a character that is conducive to tourism and entertainment businesses that can draw revenues from outside of the City as well. Well-preserved downtowns increase the quality of life of the community and help in attracting and retaining new business and industry. All of these benefits also translate into higher tax revenues for the community through higher real property values, higher transient occupancy taxes and higher sales tax revenues. Beyond these benefits, the preservation of the community's historic assets ensures that its history is understood and protected and provides an important context for new development that will respect and enhance the existing community, rather than make it just another "Anytown, U.S.A."

With the creation of the historic districts, one concern is the real and potential loss of contributing buildings to demolition. Not only can this compromise the historic character of downtown and residential neighborhoods, but if too many buildings are demolished, it could lead to the de-designation of the historic districts and the accompanying loss of tax credits for rehabilitating historic buildings. This concern must be balanced with the interests of maintaining property rights and avoiding over regulation.

### **Historic Resources Goals, Objectives and Strategies**

Goal 6. To celebrate the City's heritage and preserve and protect its historic resources as essential elements of the City's economic health, aesthetic character, and sense of place.

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<sup>1</sup> The National Main Street Center web site: [www.mainstreet.org](http://www.mainstreet.org)

- Objective 6.1 To disseminate information about the history and historic resources of the City of Harrisonburg.
- Strategy 6.1.1 To make the Harrisonburg Tourism & Visitor Services' center in the historic Hardesty-Higgins House a sales outlet for historical publications and a source of information on the historic resources and sites in the City.
- Strategy 6.1.2 To create a partnership between the Harrisonburg Tourism & Visitor Services and the Massanutten Regional Library to develop a historical research section in the library to which visitors to the Hardesty-Higgins House Visitors Center could be referred.
- Strategy 6.1.3 To develop a walking tour of historic sites in downtown Harrisonburg with appropriate brochures and signage, such tour to begin at the Hardesty-Higgins House visitors center.
- Strategy 6.1.4 To seek establishment of the Hardesty-Higgins House visitors center or other site in the City as the visitor orientation center for the Cross Keys/Port Republic Civil War Battlefields Cluster in cooperation with the Shenandoah Valley Battlefields Foundation.
- Objective 6.2 To promote and recognize quality historic preservation projects.
- Strategy 6.2.1 To partner with the Harrisonburg-Rockingham Historical Society to implement an annual preservation awards program to recognize quality preservation projects.
- Objective 6.3 To establish historic districts.
- Strategy 6.3.1 To work with local groups and the Department of Historic Resources to seek designation of historic districts in such areas as:
- Residential neighborhoods adjacent to the Downtown Historic District;
  - James Madison University historic campus (in collaboration with JMU)
- Strategy 6.3.2 To seek funding from the Department of Historic Resources for survey work and assistance with National Register Historic District nominations.
- Strategy 6.3.3 To explore the option of passing an ordinance that would require approval from City Council before a demolition permit is granted for a contributing building in a historic district.
- Objective 6.4 To conserve City-owned historic resources and to ensure that City development projects respect and reflect the historic character of the City and site context.
- Strategy 6.4.1 To catalogue all City-owned properties that have historic value.

- Strategy 6.4.2 To adopt policies for treatment of City-owned historic properties (maintenance, renovation, additions, and conditions when demolition is warranted) so as to preserve their historic value.
- Strategy 6.4.3 To take advantage of federal and state historic rehabilitation tax credits by partnering with the private sector on City property rehabilitation projects.
- Strategy 6.4.4 To assess and mitigate the impacts of all City projects on adjacent historic resources and areas.
- Strategy 6.4.5 To design new City public facilities so that they respect and complement the historic character of the City and site context.
- Strategy 6.4.6 To develop a plan to renovate the Municipal Building consistent with its historic character.

## Chapter 9      Natural Resources

### Introduction

Because a comprehensive plan focuses many of its policies on the use of land, it is important to understand the qualities of that land and its natural resources. The geology, topography, soils, vegetation, wildlife, air, and water resources provide a framework for wise land use decisions that avoid environmental hazard areas and preserve valued natural resources.

### Background

#### Geology

The City of Harrisonburg is located within the valley portion of the Ridge and Valley geologic province. The valley is underlain by sedimentary rocks of limestone, dolomite, and shale. A significant characteristic of the limestone and dolomitic rock of Harrisonburg, Rockingham County, and the Shenandoah Valley is its tendency to develop caves, solution channels, and sink holes as acid rainwater dissolves the rock over time. The geologic term for such limestone/dolomite areas is “karst.” The prevalence of sinkholes is significant because such areas can be unstable. Subsidence can damage roads and buildings, though catastrophic collapse rarely occurs.

Karst areas are particularly susceptible to groundwater contamination because of the direct connection between the surface and groundwater through sinkholes and along cracks in surface bedrock. Contamination that seeps down through the sinkholes and cracks can reach the honeycomb of channels and caves below, potentially travelling long distances through these conduits. While few houses or businesses in the City are dependent on groundwater for their source of drinking water, many homes in Rockingham County are served by wells. Some measures that localities can take to protect groundwater in karst areas include: prohibition of waste disposal in sinkholes, requirements that stormwater be directed away from sinkholes, and spill containment measures for industrial and other uses handling toxic or potentially polluting materials near sinkholes.

#### Soils

A review of the *Soil Survey of Rockingham County, Virginia* (USDA Soil Conservation Service, 1982), which covers the City of Harrisonburg as well, reveals that the City’s soils are dominated by clayey soils formed from limestone. The primary issues for construction are depth to bedrock and the tendency of these soils to shrink and swell with varying moisture levels.

#### Topography

The City is characterized by rolling topography. Slopes from 0 to 15 percent present few limitations for development. Land in the 15 – 25 percent range is appropriate for residential uses; commercial and industrial development with large buildings and parking areas require a great deal of grading to be constructed on these slopes and are generally less appropriate. Slopes 25 percent and over are usually considered unsuitable for development.

### Vegetation and Wildlife

Harrisonburg is an urban area built within an agricultural area. It no longer contains large areas of woodland and natural wildlife habitat. Most wetland areas in Harrisonburg are small. Significant populations of deer are found in several sections of the City, but otherwise most types of wildlife are those found in urban and suburban settings. Harrisonburg is a certified Tree City USA city, a program of The Arbor Day Foundation and US Department of Forestry. Generally, the citizens of Harrisonburg value the City's remaining green spaces and expressed interest in public meetings in these green spaces being preserved and expanded to the extent possible. Increased tree planting is also supported.

### Water Resources

**Hydrology:** Harrisonburg is drained primarily by two streams, Blacks Run and the Sunset Heights Branch of Cooks Creek. About two thirds of the City sits within the Blacks Run watershed. The area of the City, west of Route 42 and South of Route 33, is in the Sunset Heights Branch watershed. Small areas in the northern part of the City drain to the watershed of the North Fork of the Shenandoah River. The Federal Emergency Management Agency (FEMA) provided the City with updated 100-year floodplain maps for Blacks Run and the Sunset Heights Branch in 2008. The City uses these maps to regulate development in the 100-year floodplain and to prohibit encroachment in the floodway.

**Water Quality:** Water quality has become an important issue due to several mandatory and voluntary water quality protection programs initiated by EPA, the State of Virginia, and the Chesapeake Bay states. The first is the TMDL (Total Maximum Daily Load) program, the second is the Shenandoah and Potomac River Basins Tributary Nutrient Reduction and Nutrient Cap Strategies, and the third is the EPA requirement for the City to obtain a Virginia Pollutant Discharge Elimination System (VPDES) permit related to its Municipal Separate Storm Sewer (MS4) and for developers to obtain a VPDES permit for construction activity stormwater discharges. As part of the City's stormwater management program, developments over one acre are required to provide water quality improvement measures. The City regulates this in accordance with the Virginia Stormwater Management Regulations. Significant changes to these regulations are forthcoming.

**TMDLs:** The Federal Clean Water Act requires states to identify and clean up water bodies not in compliance with Federal and state water quality standards. Virginia has been required to prepare a list of such "impaired waters" and to determine the total maximum daily (pollutant) loads or TMDLs for each impaired water. The TMDL reflects the total pollutant loading a water body can receive and still meet water quality standards with a margin of safety built in. In 1992, EPA promulgated regulations regarding the development of TMDLs.

Meanwhile, Virginia adopted the *Water Quality Monitoring, Information, and Restoration Act* in 1997, which directed the Department of Environmental Quality (DEQ) to develop a list of impaired waters, to develop TMDLs for them, and to develop implementation plans. For Harrisonburg, six TMDL studies have been completed: two for Blacks Run, two for Cooks Creek, and two for Smith Creek. A TMDL study identifies the sources of the pollutants in the watershed and shows how the pollutant loads from each source must be reduced to meet the water quality standard. For each stream, DEQ has determined that violations occur for both fecal

coliforms and benthic organisms. Fecal coliforms are a range of bacteria present in fecal wastes from warm-blooded animals. Their presence indicates the presence of bacteria harmful to humans. Benthic communities are made up of bottom dwelling organisms in streams. The number and types of benthic organisms found in a stream are indicators of pollution levels.

For Blacks Run, Cooks Creek, and Smith Creek fecal coliform studies, the primary sources have been identified as non-point – stormwater run-off pollution as opposed to pollution from a specific point, such as a wastewater treatment plant discharge pipe. Urban non-point sources include leaking sanitary sewer lines, failing septic systems, and pet and wildlife wastes. A TMDL Implementation Plan has been developed by DEQ, the Department of Conservation & Recreation in consultation with local landowners and citizens and the City and County to determine what must be done to meet the fecal coliform TMDL pollution load reduction goals. Virginia has chosen to develop TMDL implementation plans that encourage voluntary actions to meet Federal water quality standards. The City of Harrisonburg, for example, has implemented a number of measures to reduce fecal waste loads, such as, a sanitary sewer inspection and management program to prevent sewage leaks, and education programs on septic pump-outs and pet waste clean-up.

The benthic TMDL studies identify the sources of pollution that adversely affect benthic organisms. Again, non-point source pollution is the problem, and in the City of Harrisonburg, sedimentation is the chief culprit. Harrisonburg continues to address these problems by such measures as: improved sedimentation and erosion control regulations and enforcement, stormwater management best management practices (BMPs), a stream bank stabilization program, planting of riparian vegetation, and increased street cleaning. While Virginia's approach has been to seek voluntary measures to reduce pollution loads, if such measures do not result in better water quality in streams, the state may require that measures be implemented to meet Federal water quality standards. EPA has the legal authority to require enforcement of TMDLs.

Shenandoah and Potomac River Basins, Tributary Nutrient Reduction and Nutrient Cap Strategies: While the TMDL program has as its basis the Clean Water Act and the law enforcement backing of the Federal government, the Shenandoah and Potomac River Basins Tributary Nutrient Reduction and Nutrient Cap Strategies are based on agreements between the Chesapeake Bay watershed states, agreements that are not currently federally enforced.

In 1987, Virginia, Maryland, Pennsylvania and the District of Columbia signed a Chesapeake Bay Agreement that recognized the role of nutrient pollution (nitrogen and phosphorus) in the Chesapeake Bay's water quality problems. In the 1987 agreement, the states set a goal of reducing controllable annual nitrogen and phosphorus loads into the Bay waters by 40 percent by 2000. In 1992, the states agreed that the most effective way to meet the 40 percent reduction goal would be to develop specific nutrient reduction strategies for each major tributary of the Chesapeake Bay river basin. With the cooperation of the City of Harrisonburg, Rockingham County and other localities in the Southern Shenandoah Region, including Augusta, Highland and Page counties, a tributary strategy was developed and adopted in 1996 for the region's portion of the Shenandoah River watershed. The strategy was projected to achieve a reduction of nitrogen loading by 43 percent and phosphorus loading by 40 percent for the Southern



Shenandoah Region. The reduction was to come from both point and non-point sources. The point sources are the wastewater treatment plants, some of which were proposed to be retrofitted with biological nutrient reduction (BNR) technology to reduce nutrient discharges. The most significant reductions were projected to come, however, from agricultural non-point source reductions through the implementation of agricultural Best Management Practices (BMPs). The Harrisonburg Rockingham Regional Sewer Authority has since made BNR improvements to the North River Wastewater Treatment Plant. Meanwhile, Rockingham County and the Central Shenandoah Soil and Water Conservation District have worked with farmers to implement agricultural BMPs.

The 1987 Bay Agreement not only set a goal of reducing nutrient pollution by 40 percent by 2000, but also a goal of capping nutrient loads at that level. In other words, a “cap strategy” would need to be developed to prevent nutrient loads from increasing above the 40 percent level even as growth in the watershed continues. In March 2001, Virginia issued *the Draft Interim Nutrient Cap Strategy for the Shenandoah and Potomac River Basins*. The Nutrient Cap Strategy is called interim because water quality goals for the Chesapeake Bay are slated to change. The final cap strategy will have to address these new goals, which are not yet finalized. Under the interim cap strategy, the City may be asked to implement stormwater management BMPs not only for new development but also to retrofit existing developed areas.

MS4 Phase II Stormwater Management Program: In 1999, EPA published a new rule extending stormwater quality controls to small cities. Large cities had already been required to obtain National Pollution Discharge Elimination System (NPDES) permits for their stormwater systems, but now small cities would be required to as well. Applications for the 5-year NPDES permit were due March 2003. As required by the rule, Harrisonburg’s permit application included a description of its proposed stormwater management program to include six minimum control measures:

- Public education and outreach on stormwater impacts
- Public involvement/participation
- Illicit discharge detection and elimination (i.e. elimination of point discharges of pollution into the stormwater management system)
- Construction site stormwater runoff control (i.e. improved erosion and sediment control)
- Post-construction stormwater management in new development and redevelopment (urban stormwater management BMPs to control water quality as well as quantity)
- Pollution prevention/good housekeeping for municipal operations

The first 5-years of the permit ended June 30, 2008 and Harrisonburg submitted a new application and program plan, which became effective on July 1, 2009.

#### Air Quality

The City of Harrisonburg and Rockingham County are currently considered to be “in attainment” of the National Ambient Air Quality Standards (i.e., no violations of the air quality standards have been observed). Recent regulations issued by EPA have revised the standard for ozone, making it more stringent. A number of communities across Virginia have been recommended by the Virginia Department of Environmental Quality for ozone “nonattainment” designation based

on monitored data, including Shenandoah Valley communities of Frederick County and Winchester, the Roanoke area, and portions of Page and Madison counties in Shenandoah National Park. There is one ozone monitor in Rockingham County.

#### Noise

A primary source of noise in the City is Interstate 81. The level of traffic and the high percentage of trucks make this a significant source of noise for properties near the road. Noise levels exceed Federal Highway Administration (FHWA) noise standards at varying distances depending on the presence of screening topography. To address noise, the City should consider avoiding planning residential and other noise sensitive uses adjacent to the interstate or recommend standards for such uses that ensure that both indoor and outdoor ambient noise levels do not exceed FHWA standards.

#### Light Pollution

Light pollution has become an increasing concern in a number of localities and has been mentioned by Harrisonburg citizens. As more and more individuals and businesses install security lighting or increase the intensity of existing lights, the problems of poorly designed lighting systems increase. The Comprehensive Plan includes a recommendation to reduce light pollution, while recognizing the importance of quality lighting for crime prevention. State code changes will be needed to implement standards to prevent excessive lighting.

### **Natural Resources Goal, Objectives and Strategies**

Goal 7. To preserve and enhance the City's natural resources and encourage development that is compatible with nature.

Objective 7.1 To keep abreast of environmental issues facing the City and to monitor the City's environmental health.

Strategy 7.1.1 To tap local expertise as available to keep abreast of environmental issues facing the City and to monitor the City's environmental health.

Strategy 7.1.2 To prepare an annual or biannual "state of the City's environment" report using compiled data collected by the City, the Virginia Department of Environmental Quality, the Virginia Department Conservation and Recreation and other sources and describing and recommending programs to address environmental issues.

Objective 7.2 To develop water and air quality improvement programs to comply with federal and state standards, programs and requirements.

Strategy 7.2.1 To continue to implement the City's MS4 Phase II storm water management program dealing with improving the quality of storm water runoff.

Strategy 7.2.2 To continue working with the Virginia Department of Environmental Quality, the Virginia Department Conservation and Recreation, and

- other partner organizations that implement best management practices to improve stormwater and water quality.
- Strategy 7.2.3 To collaborate with Rockingham County and the Virginia Department of Environmental Quality in developing an air quality improvement plan should the region be declared to be nonattainment for ozone pollution.
- Objective 7.3 To create a set of environmental performance standards for public and private development and redevelopment projects.
- Strategy 7.3.1 Using state standards where applicable, to prepare a set of environmental performance standards for all development which may include such issues as:
- Pollutant discharges into water resources
  - Air emissions
  - Erosion and sediment control
  - Noise exposure limits
  - Excessive light emissions
  - Energy use and efficiency
  - Protection of environmental features: floodplains, wetlands, steep slopes, sinkholes, tree cover
- Sufficient funding will need to be secured to establish this new program.
- Strategy 7.3.2 To ensure coordination with state agencies on project compliance with state environmental standards.
- Strategy 7.3.3 To consider adoption of local environmental performance standards as either policies or regulations after public input.
- Objective 7.4 To preserve and expand green spaces and tree planting in the City.
- Strategy 7.4.1 To consider adopting open space preservation requirements or incentives for new development.
- Strategy 7.4.2 To purchase and accept donations of land for the implementation of the Blacks Run Greenway and other planned greenway and park projects.
- Strategy 7.4.3 To include streetscape improvement plans in downtown, neighborhood conservation area, business revitalization area, and corridor enhancement plans.
- Strategy 7.4.4 To implement landscape improvement demonstration projects at City gateways and other appropriate locations.
- Strategy 7.4.5 To consider adding street tree planting and other landscape requirements for new development and redevelopment in the City's land use codes.
- Strategy 7.4.6 To prepare and implement landscape plans for City public facility development projects.

- Strategy 7.4.7 To provide proper maintenance of City trees to ensure tree health and to minimize damage to utility lines.
- Strategy 7.4.8 To implement stream riparian buffer and planting projects in partnership with public and private entities when possible.

Objective 7.5 To promote resource conservation.

- Strategy 7.5.1 To promote recycling through:
- Continued public education campaigns
  - Adoption of regulations requiring businesses to sort their recyclable solid waste and make it available for collection
  - Giving City purchasing preference to recycled paper
- Strategy 7.5.2 To promote water conservation through:
- Public education campaigns
  - Collaboration with local hardware and building supply stores to promote water conserving fixtures and appliances.